

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

United States of America)
_____)
_____)
_____) Plaintiff)
vs.)
David A. Rinke, II)
_____)
_____) Defendant)

No. 1:11-mj-9

HEARING ON February 28, 2011 Detention Hearing

Before U. S. Magistrate Judge Susan Paradise Baxter

Christian A. Trabold, Esq., AUSA

Appear for Plaintiff

Thomas W. Patton, Esq., Federal P.D.

Appear for Defendant

Hearing Begun 3:30 pm

Hearing Adjourned to _____

Hearing concluded C.A.V. 4:40 pm

Stenographer Ron Bench
CD: _____ Index: _____

WITNESSES

For Plaintiff

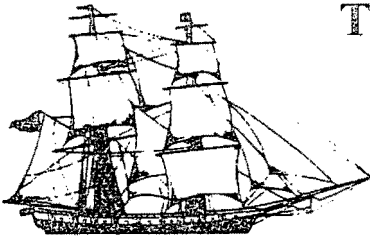
For Defendant

After testimony & argument, the Court rules
to release defendant pre-trial in the custody of
his parents as 3rd party custodians - release rule
to follow. Defendant not to be released until
all monitors are in place.

PENNSYLVANIA

[illegible]

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The School District of the City of Erie

148 West 21st St. Erie, PA 16502
Phone: 814/874-6000 Fax: 814/874-6049
www.eriesd.org

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Superintendent of Schools

Dr. Walter Strosser
Assistant Superintendent of Schools

Charlise Moore
Assistant to the Superintendent

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November 9, 2010

Mr. David A. Rinke II

Erie, Pennsylvania 16504

Dear Mr. Rinke:

As we have discussed with you several times, in order to continue in your employment as a teacher with this District long-term, you must change your approach to interactions with students. As professional educators, we are to work diligently and thoughtfully to develop and maintain productive, positive relationships with students. Those relationships serve the development of our students in many ways. Any relationships we develop with students are to be exclusively for the benefit and development of our students. We do not befriend students. Befriending students can lead to many problems. It erodes the respect that students should have for our professional positions, and the effect of our modeling appropriate behavior. Plus, students should be focused on befriending each other. We should not distract them from doing so.

While you genuinely seem to want your students to succeed in school and life, you seem confused about the type of relationship to have with them. You need to stop befriending them, and to stop taking steps that might appear to them to reflect a desire on your part to befriend them.

We are not going to try to imagine all of the ways in which you might reach out to students to befriend them. The list would be almost endless.

However, this letter is to put you on formal notice that, if and as we become aware of actions by you inconsistent with this letter, and your professional responsibilities, we will discipline you.

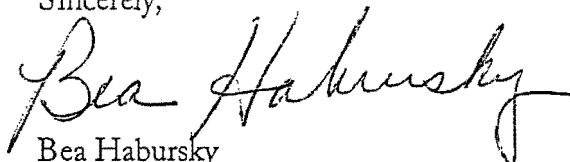
GOVERNMENT EXHIBIT	
CASE NO.	
EXHIBIT NO.	1

Mr. David A. Rinke II
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November 9, 2010

We insist that you carefully consider these actions and correct your behavior, permanently. Otherwise, to assure the development of our students, we will formally and seriously discipline you. Ultimately, if you cannot or will not conform to our expectations regarding your interactions with students, we will terminate your employment.

I hope and trust that you understand the severity of this issue. If you have any questions or concerns regarding this matter, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Bea Habursky". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Bea Habursky
Executive Director of Human Resources

c: Jay Badams
Dr. Tammy Smith
Dr. Lori Gornall
Attorney Mark Kuhar
Carol Laskowski
John Revell

Ms. Lori Gornall
Dean

THE SCHOOL DISTRICT OF THE CITY OF ERIE, PENNSYLVANIA

Mr. Joseph Kimball
Associate Dean

Northwest Pennsylvania Collegiate Academy

2825 STATE STREET • ERIE, PENNSYLVANIA 16508 • (814) 874-6300



SUMMARY OF CONFERENCE HELD ON THURSDAY, JANUARY 19, 2006

In Attendance: David Rinke, Shawn Feiock, John Revell, John Harris, Robert Oliver, Mary Blucas, Lori Gornall, *[Signature]*

This meeting was held to address several concerns regarding Mr. Rinke and his inappropriate correspondence with Collegiate Academy students. The line between teacher and student relationships has been blurred and crossed numerous times. Student perceptions of teachers in our school have been diminished by this correspondence between a Collegiate Academy teacher and his students.

I. Parent Concerns

A mother met with Ms. Gornall last week to voice concerns about the instant messaging that has occurred between Mr. Rinke and her tenth grade daughter. Specific parent concerns:

- The time of the instant message (10:42-11:23 pm)
- References to her daughter's personal life
- Invasion into her home
- I.M. not related to Chemistry in any way
- Has heard from daughter and friends that numerous pictures of her daughter from a recent school dance were posted on Mr. Rinke's website
- Instant messaging could be construed as 'trolling'

II. Myspace.com

Mr. Rinke has an established myspace.com site in which he regularly communicates with Collegiate Academy students. Students' comments, pictures, and sexual references are totally inappropriate communication between a teacher and his students. Of specific concern on this site:

- Picture of student aiming a gun stating "Merry Christmas Rinke"
- Reference by students to 'breaking wood' (oral sex phrase)
- Student apologizing for "pissing you off today"
- Student stating, "I can't believe you made a myspace just to meet 14 year old girls!"
- Student stating, "How many other 34 year old men have a myspace, not many"
- Student stating, "Rinke is a noodle"
- Student asking, "When's the next hide and seek at Frontier?"

Students' responses clearly indicate that numerous students consider Mr. Rinke a friend, and not a teacher. They do not identify with any type of 'line' between student and teacher.